

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: DISCONNECTION AND RECONNECTION	DOCKET NO. RMU-01-2
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ORDER ADOPTING RULES

(Issued September 12, 2001)

Pursuant to the authority of Iowa Code §§ 17A.4, 474.5, 476.1, and 476.20 (2001), the Utilities Board adopts the amendments attached hereto and incorporated by reference. These rules amend and clarify the language contained in 199 IAC 19.4(15)"h"(5) and 20.4(15)"h"(6) with respect to when reconnection of an electric or gas customer must take place following disconnection of service. The reasons for proposing these amendments are set forth in the attached notice of intended action.

IT IS THEREFORE ORDERED:

1. A rule making, identified as Docket No. RMU-01-2, is adopted.

2. The Executive Secretary is directed to submit for publication in the Iowa Administrative Bulletin a notice in the form attached to and incorporated by reference in this order.

UTILITIES BOARD

/s/ Allan T. Thoms

/s/ Diane Munns

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Mark O. Lambert

Dated at Des Moines, Iowa, this 12th day of September, 2001.

UTILITIES DIVISION [199]

Order Adopting Rules

Pursuant to Iowa Code sections 17A.4, 474.5, 476.1, and 476.20 (2001), the Utilities Board (Board) gives notice that on September 12, 2001, the Board issued an order in Docket No. RMU-01-2, In re: Disconnection and Reconnection, "Order Adopting Rules." The amendments to 199 IAC 19.4(15)"h"(5) and 20.4(15)"h"(6) make them consistent with the Board's standard customer notice forms contained in 199 IAC 19.4(15)"h"(3) and 20.4(15)"h"(3) and the disconnection portion of the customer rights and remedies also contained in 199 IAC 19.4(15)"h"(3) and 20.4(15)"h"(3). These amendments were inadvertently omitted in the Board's "Order Adopting Rules" issued on December 28, 2000, in Docket No. RMU-00-5. Those amendments were adopted after receipt of numerous comments and an oral presentation.

On March 26, 2001, the Board issued an order in Docket No. RMU-01-2, In re: Disconnection and Reconnection, to consider adopting amendments to 199 IAC 19.4(15)"h"(5) and 20.4(15)"h"(6). The proposed rule making was published in IAB Vol. XXIII, No. 21 (4/18/01) p. 1642, as ARC 0635B. Written comments were received from the Consumer Advocate Division of the Department of Justice and MidAmerican Energy Company. The comments supported the rule making. Two inadvertent references to gas instead of electric in item 2 in the notice of intended

action issued by the Board were corrected prior to publication of the notice in the administrative bulletin.

Because the adopted rules are identical to those noticed in the administrative bulletin, no additional notice is required and the Board will adopt the amendments as proposed. The Board does not find it necessary to propose a separate waiver provision in this rule making because the Board's general waiver provision in rule 199 IAC 1.3 is applicable to these rules.

The amendments will become effective on November 7, 2001.

These rules are intended to implement Iowa Code sections 476.1, and 476.20.

The following amendments are adopted.

Item 1. Amend **19.4(15)"h"(5)**, paragraph entitled "Special circumstances," as follows:

Special circumstances. Disconnection of a residential customer may not take place only between the hours of 6 a.m. and 2 p.m. on a weekday and not on weekends or holidays. ~~on a weekend, a holiday or after 2 p.m., unless the utility is prepared to reconnect the same day, and in the case of customer who has entered into a reasonable payment agreement~~ If a disconnected customer makes payment or other arrangements during normal business hours, or by 7 p.m. for utilities permitting such payment or other arrangements after normal business hours, all reasonable efforts shall be made to reconnect the customer that day. If a disconnected customer makes payment or other arrangements after 7 p.m., all reasonable efforts shall be made to reconnect the customer not later than 11 a.m. the next day. A disconnection may not take place where gas is used as the only

source of space heating or to control or operate the only space heating equipment at the residence, on any day when the National Weather Service forecast for the following 24 hours covering the area in which the residence is located includes a forecast that the temperature will go below 20 degrees Fahrenheit. In any case where the utility has posted a disconnect notice in compliance with 19.4(15)"h"(4) but is precluded from disconnecting service because of a National Weather Service forecast, the utility may immediately proceed with appropriate disconnection procedures, without further notice, when the temperature in the area where the residence is located rises to above 20 degrees, unless the customer has paid in full the past due amount or is entitled to postponement of disconnection under some other provision of this rule.

Item 2. Amend **20.4(15)"h"(6)**, paragraph entitled "Special circumstances," as follows:

Special circumstances. Disconnection of a residential customer may not take place only between the hours of 6 a.m. and 2 p.m. on a weekday and not on weekends or holidays. ~~on a weekend, a holiday or after 2 p.m., unless the utility is prepared to reconnect the same day, and in the case of a customer who has entered into a reasonable payment agreement,~~ If a disconnected customer makes payment or other arrangements during normal business hours, or by 7 p.m. for utilities permitting such payment or other arrangements after normal business hours, all reasonable efforts shall be made to reconnect the customer that day. If a disconnected customer makes payment or other arrangements after 7 p.m., all reasonable efforts shall be made to reconnect the customer not later than 11 a.m.

the next day. A disconnection may not take place where electricity is used as the only source of space heating or to control or operate the only space heating equipment at the residence, on any day when the National Weather Service forecast for the following 24 hours covering the area in which the residence is located includes a forecast that the temperature will go below 20 degrees Fahrenheit. In any case where the utility has posted a disconnect notice in compliance with 20.4(15)"h"(5) but is precluded from disconnecting service because of a National Weather Service forecast, the utility may immediately proceed with appropriate disconnection procedures, without further notice, when the temperature in the area where the residence is located rises to above 20 degrees, unless the customer has paid in full the past due amount or is entitled to postponement of disconnection under some other provision of this rule.

September 12, 2001

/s/ Allan T. Thoms

Allan T. Thoms
Chairperson